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Attorneys for Plaintiff
Lottotron, Inc.

**IN THE UNITED STATES DISTRICT COURT**
**FOR THE DISTRICT OF NEW JERSEY**
**NEWARK DIVISION**

| | | |
|---|---|---|
| **LOTTOTRON, INC.**<br>**207 Lodi Street**<br>**Hackensack, New Jersey 07601-3916**<br><br>**Plaintiff** | : | |
| **v.** | : | **Civil Action No. _____________** |
| **MICROSOFT CORPORATION**<br>**1 Microsoft Way**<br>**Redmond, Washington 98052-6399**<br><br>**Defendant** | : | **Jury Trial Demanded** |

## COMPLAINT

Now comes the Plaintiff, Lottotron, Inc. ("Lottotron"), and alleges by way of complaint against the Defendant, Microsoft Corporation ("Microsoft"), as follows:

## PARTIES

1. Lottotron is a New Jersey corporation having a principal place of business in this judicial district at 207 Lodi Street, Hackensack, New Jersey 07601-3916.

2. Microsoft Corporation ("Microsoft") is a Washington corporation with a principal place of business at 1 Microsoft Way, Redmond, Washington 98052-6399.

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## JURISDICTION AND VENUE

3. This Court has subject matter jurisdiction of this action under 28 U.S.C. §§ 1331 and 1338(a).

4. Venue is proper in this judicial district pursuant to 28 U.S.C. §§ 1391 and 1400.

## BACKGROUND

5. Lottotron is the owner by assignment of U.S. Patent Nos. 5,921,865; 5,910,047; 5,904,619; and 5,415,416, all entitled *COMPUTERIZED LOTTERY WAGERING SYSTEM*, and U.S. Patent No. 5,816,919 entitled *COMPUTER LOTTERY WAGERING SYSTEM* (collectively, the "Patents-in-Suit").

6. Upon information and belief, Microsoft, through its interactive web site identified by its uniform resource locator, www.msn.com (the "MSN Website"), has, at all relevant times, offered online poker and casino games in this judicial district and elsewhere.

## COUNT I – PATENT INFRINGEMENT

7. Lottotron hereby incorporates by reference the allegations contained in paragraphs 1 through 6 above as though set forth fully herein.

8. Microsoft, without authority, has provided and continues to provide multiple-game, online gaming through its MSN Website that infringes one or more of the claims of the Patents-in-Suit in violation of 35 U.S.C. § 271(a).

9. Microsoft has also actively induced and continues to induce infringement of one or more of the claims of the Patents-in-Suit by users of Microsoft's multiple-game, online gaming through its MSN Website in violation of 35 U.S.C. § 271(b).

10. Microsoft has also contributed and continues to contribute to the infringement of one or more of the claims of the Patents-in-Suit by users of Microsoft's multiple-game, online gaming through its MSN Website in violation of 35 U.S.C. § 271(c).

11. Microsoft's acts as aforesaid have caused and continue to cause damage and irreparable injury to Lottotron.

WHEREFORE, Lottotron prays that this Honorable Court:

-Enter judgment in Lottotron's favor and against Microsoft;

-Award damages in an amount adequate to compensate Lottotron for Microsoft's infringement together with interest and costs;

-Award reasonable attorney fees to Lottotron;

-Enjoin Microsoft and all third parties acting in concert therewith from further acts constituting infringement of the Patents-in-Suit; and

-Grant any and all other relief that this Honorable Court deems just and proper.

Respectfully submitted,

Date: October 22, 2007

/Joshua R. Slavitt/

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